

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**ADELHEID "HEIDI" WAUMBOLDT,**

**Plaintiff,**

**v.**

**GREGORY CALLIMANOPULOS,  
BROKERAGE & MANAGEMENT CORP., and  
MARINE MANAGEMENT SERVICES, M.C.,**

**Defendants.**

**Case No. 11 CIV 7416 (TPG)**

**ECF CASE**

**NOTICE OF MOTION**

TO:

William K. Phillips, Esq.  
Phillips & Phillips, Attorneys at Law, PLLC  
30 Broad Street, 35th Floor  
New York, New York 10004  
*Attorneys for Plaintiff*  
*Adelheid "Heidi" Waumboldt*

**PLEASE TAKE NOTICE** that the undersigned attorneys for the defendants Gregory Callimanopoulos and Brokerage & Management Corp. ("Defendants") will apply before the Honorable Judge Thomas P. Griesa of the Southern District of New York at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., New York, New York, in Courtroom 26B, at a time to be determined by the Court, for an Order pursuant to the Federal Arbitration Act, 9 U.S.C. § 1 *et seq*, Rule 12(b)(1) and Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the Complaint herein in its entirety, on the grounds that the parties have agreed to arbitrate all employment-related disputes, and consequently, (i) the Court lacks jurisdiction over the subject matter of the Complaint and (ii) Plaintiff has failed to state a cause of action upon which relief can be granted. In support of this motion, Defendants rely upon the accompanying Memorandum of Law and the Declaration of Laura Sack, with the exhibits attached thereto.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Rule 6.1(b), answering papers, if any, are to be filed and served by December 1, 2011; and reply papers, if any, are to be filed and served by December 8, 2011.

Dated: New York, New York.  
November 17, 2011

Respectfully submitted,  
**VEDDER PRICE P.C.**

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*Attorneys for Defendants  
Gregory Callimanopoulos and  
Brokerage & Management Corp.*